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h.k.

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/939,064 09/29/97 KAMACHI

T SONY-P7815

LMC1/0417

PHILIP M SHAW
LIMBACH AND LIMBACH
2001 FERRY BUILDING
SAN FRANCISCO CA 94111-4262

EXAMINER

NGUYEN, T

ART UNIT

PAPER NUMBER

2773

DATE MAILED:

04/17/00

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/939,064

Applicant(s)
KAMACHI

Examiner
Thomas Nguyen

Group Art Unit
2773



☒ Responsive to communication(s) filed on Feb 8, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-12 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-12 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 14, 15

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

FINAL ACTION

I. *Claim Rejections - 35 USC § 103*

1. *Claim 1-2,5-7,10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliott et al. US Patent 5,621,904 in view of Southgate U.S. Patent 5,487,143.*

As per claim 1,5-6: Elliott discloses a system and method of an image display a main window for displaying main information and a sub window for displaying accompanying information associated with main information, and automatically arrangement changing the display position move to main window within a preset predetermined value, and arranging of sub window to a position adjacent to main window (col.2 , line 40 to col.3, line 30; FIG.2), although Elliott's description of related art discloses user able manually move the sub-window to user specified position (col.1) but Elliott's sytem is automatically arrangement in accordance with preset value (abstract) which does not require user-specified position. However, Southgate discloses a user interface control allows the user to move from one area to area (abstract, claim 2). Therefore, it would have been obvious to one of ordinary skill in the relevant art at the time of invention to modify Elliott's system using Southgate's user interface control for moving a display position of sub window upon user-specified position, because this give user composition of screen layout and furthermore displaying windows this way are utilizinig display spaces effective and efficiently for user viewing without obscured information as suggested by Elliott/Southgate's (col.1-2).

As per claim 2,7,10: Recite from claim 1, Elliott discloses a system for display a sub window adjacent to main window within a preset predetermined value, but Elliott's system discloses automatic arrangement the horizontal line in reserve order which is lower side instead

upper side alignment of both windows (lower side of subwindow with lower side of mainwindow see FIG.2). However, it would have been obvious to one of ordinary skill in the relevant art at the time of invention for change sub window coordinate to alignment the upper sides instead lower side of main window and sub window, because organizing the display window this way in some cases may maximize the display area.

2. *Claim 3-4,8-9,11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliott et al. US Patent 5,621,904 in view of Southgate U.S. Patent 5,487,143 and further in view of Liles et al. US Patent 5,880,731.*

As per claim 3,8,11: Recite from claim 1, but Elliott's image display system does not discloses the main window displays a 3D Virtual Reality and sub windows display a chat perform via an avatar. However, Liles teaches present invention system relates to a virtual space which allows avatar freely move to desired position in a shared in 3D virtual space (abstract, col.3-4, Fig.13). Therefore, it would have been obvious to one of ordinary skill in the relevant art at the time of invention to combine Elliott's position windows display and Liles's disclosures for obtaining an image display which main window in 3D virtual reality space and sub window of a movable chat avatar, because this would enhance system performance and usability.

As per claim 4,9,12: Recite from claim 3, Liles's system describes in virtual world 3D graphic data network communication with the server (col.5-6) but does not disclose any particular language. It would have been obvious to one of ordinary skill in the relevant art at the time of invention to combine to select a well known VRML language for implement VR 3D graphics because this would enhance system performance.

II. Response to Applicant's Remark

Applicant central argument taking from claim 1 (page3): "automatically arrangement . . . of said sub window to a position adjacent to said main window". Elliott's front page discloses an abstract and figure displaying (non-overlap) a main window and subwindow which is automatically arranged to display adjacent to each other based on predetermined distance between the two windows and screen space available (front page). Applicant's claim invention is similar except an extra step which require user specified position / moving before an automatic arrangement as mentioned above take place. However, Southgate's system teaches a display position moving: "designated window is moved from area to area, accordingly" (abstract, Fig.6). In combine the above, it is clearly would meet user invention's claim 1.

In regading claim 2, Elliott's front page discloses an abstract and figure displaying (non-overlap) a main window and subwindow "is set in accordance with this determination"(abstract), which alignment on a same horizontal line with the lower side of the main window. Applicant's claim invention is similar except upper side instead lower side. It is absolutely obvious to one of ordinary skill in the programming of relevant art at the time of invention to modify coding for alignment/ displaying subwindow at upper side instead lower side as long as meet the preset predetermined value because this is matter of choice at the time of designing for user convenience in viewing (see abstract). Furthermore, Examiner strongly believe that an ordinary skill in the of relevant art could present various combination in organizing two given windows displayed on a display device (Elliot's front page), to name a fews such as: alignment vertically instead horizontally, or displaying sub window adjacent from left side instead right side. This type of

simple changes are obvious and unpatentable.

III. **Conclusion**

Accordingly, ***THIS ACTION IS MADE FINAL***. See MEPE 706.07(a). Application is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 308-6606 may be used for formal communications or (703) 305-9731 for informal or draft communications. Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document. Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., 6th Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Thomas Nguyen, whose telephone number is (703) 308-7240. The examiner can normally be reached on Monday to Friday 10:00 - 7:00 ET.

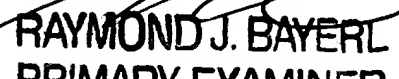
Serial Number: 08/939,064
Art Unit: 2773

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Other inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Thomas T. Nguyen

April 13, 2000



RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2773